

111

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-3379-2022

Date of decision : 08.02.2022

Gurmeet Kaur and others

...Petitioners

Versus

Jaswinder Kaur and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. P.S. Jammu, Advocate for the petitioners.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of criminal complaint as well as summoning order and the order passed by the Revisional Court, whereby the revision petition filed by the petitioners has been dismissed.

After arguing for sometime, learned counsel for the petitioners seeks permission of this Court to withdraw the present petition with liberty to the petitioners to take up all the points which have been raised in the present petition as well as those available to them, during the course of trial before the trial Court.

Learned counsel for the petitioners has further prayed that since

petitioner Nos.1 and 2 are old people, aged 72 years and 73 years, respectively and are suffering from several ailments, thus, their personal appearance before the trial Court may kindly be exempted as they would not be able to appear before the trial Court on each and every date.

In view of the above, the present petition is dismissed as withdrawn with liberty to the petitioners to take up all the points which have been raised in the present petition as well as those available to them, during the course of trial before the trial Court.

Since petitioner Nos.1 and 2 are old people aged 72 years and 73 years, respectively and are suffering from several ailments, thus, their personal appearance before the trial Court is exempted, subject to the following conditions:-

- i) Petitioners shall be represented through their counsel;
- ii) shall not delay/stall the trial proceedings;
- iii) shall not dispute their identity as accused;
- iv) shall have no objection if the prosecution evidence is recorded in their absence but in the presence of their counsel;
- v) shall appear before the trial Court as and when required by the trial Court;
- vi) any other condition which the trial Court may impose.

08.02.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**